VILLAGE OF INDIANTOWN, FLORIDA
AGENDA MEMORANDUM

MEETING DATE: August 27, 2026

MEETING TYPE: Regular Village Council Meeting

AGENDA ITEM TITLE: PLANNING ZONING AND APPEALS BOARD

SUMMARY OF ITEM: The Planning Zoning and Appeals Board (PZAB) is an advisory Board with an established meeting day being the first Thursday of each month at 6:00 PM, and operating under Rules, Regulations and Procedures established within the Land Development Regulations (LDRs), and Rules, Regulations and Procedures adopted by the Village of Indiantown (Village) Council in April 2022. Within those established rules is 'Article 1. Authority and Powers of the Board'. Each element of Article 1 begins with 'Hear and recommend' or 'To review'. Meetings of the PZAB are to have an agenda and minutes taken per their rules and Procedures:

'B. Agenda
An agenda shall be prepared by the Clerk for each meeting of the Board. There shall be attached to each agenda a report of matters pending further action by the Board. A copy of the agenda shall be posted as required by law at least 72 hours before the scheduled time of the meeting, except as otherwise provided by law.'

The rules, regulations and procedures also provide for cancellation of the meetings which historically has been done when a quorum was not able to be present or no items ready for action. Occasionally, an applicant will not have their application ready by established deadlines for noticing and advertising to be placed on the first Thursday of the month and may request PZAB to meet later in the month. When that happens, staff contacts each Board member to establish a date when there would be a quorum available and ability for the Village Council to also review and take action.

During Council member's comments at the August 13, 2026, meeting, Vice-Mayor Waters Brown suggested that the PZAB meetings would not be cancelled as in the past,

and members would meet when no specific items were available to take action on. In discussions with staff and legal, per the rules and procedures, there must be an agenda created and minutes taken. Staff is not clear on what the PZAB would then discuss and is concerned that given the responsibility of PZAB to 'hear and recommend' discussing items and possibly forming an opinion prior to a formal submittal of documentation and facts, could place the members in a vulnerable position. When an item comes before the PZAB, staff prepares a detailed Staff Report that identifies where a proposed project meets or does not meet the Village's rules and regulations, and staff makes a recommendation for approval or denial based upon the facts within the report. If projects are discussed without having a staff report identifying where a project meets or is deficient in meeting rules and regulations of the Village and without notice to an applicant, when the project does come to the PZAB a quasi-judicial due process violation claim could arise from discussing items or issues prior to them coming before the Board for a vote.

There are provisions within the rules and procedures for the PZAB to meet informally:

'F. Planning Sessions
The Board may be convened as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a planning session, provided that no official business shall be conducted thereafter, and no quorum shall be required.'

Not all staff that attend the PZAB meetings which are held after normal business hours, are salary, which means they have a set salary regardless of the number of hours they actually work. In some cases, managers allow those individuals that work more than a 40-hour week, to 'flex' their time to remain within a 40-hour work week to avoid overtime. Those that are contracted are compensated for the hours they work above 40 hours.

Another consideration is most projects have an applicant and a team of consultants that would want to be a part of any discussion of their projects. One suggestion that was mentioned by the Vice-Mayor was the PZAB could begin discussions for modifications to the Village LDRs. Staff could facilitate that discussion and specific articles within

the LDRs could be placed on an agenda for each month with pertinent materials for review and the meetings managed accordingly. Minutes would reflect recommendations and staff would maintain the suggested changes via a document with underlined verbiage for added language and strikethrough for deleted language. This would provide a mechanism for the Council to review and make recommendations next year leading into October 2027 when "more restrictive or burdensome" LDR changes can be made per state law.

At the next PZAB meeting, staff will provide members with the Council's determination from this agenda item and gain concurrence.

FISCAL IMAPCT STATEMENT: Dependent upon length of meeting and staff that must attend due to the items that will be discussed.

RECOMMENDATION: Provide direction to staff.

PREPARED BY: Taryn Kryzda DATE: 08/14/26

ATTACHMENTS:
Description
Rules Regulations and Procedures - Planning Zoning and Appeals Board - 4_7_2022.pdf